

OHV Advisory Committee Kickoff meeting

Dec 16, 2010 (2-4pm)

Doyle Center, Leominster, MA

OHV (Off-Highway Vehicles)

OHV

Agenda - OHV Advisory Committee

- ▶ Welcome – review of agenda (10 min)
- ▶ Introductions: Name, Organization, etc. (15 min)
- ▶ Overview of Chapter 202 of the acts of 2010 (20 Min)
- ▶ What has transpired to date? (20 Min)
- ▶ Role of the Advisory Committee and their focus (20 min)
- ▶ OHV Program Fund update (10 min)
- ▶ Open Meeting Law update (5 min)
- ▶ Related events: DCR Landscape Designation Process (5 min)
- ▶ Other issues (5 min)
- ▶ Next Steps (10 min)

Introductions


- ▶ Please tell everyone the following:
 - Your name
 - Organization you represent
 - Your primary focus for your involvement being on the OHV Advisory Committee

Overview of Chapter 202 of the acts of 2010

- ▶ House Passes H 4747
- ▶ June 9, 2010: House Passes An Act to Regulate the use of Off-Highway and Recreation Vehicles

OHV Enforcement Working Group

In 2007, the Executive Office of Energy and Environmental Affairs and the Department of Conservation and Recreation invited more than 20 organizations representing land management, OHV users, environmental interests, law enforcement agencies and others to examine the state of OHV activity and enforcement. The diverse group identified over 40 actions to help improve OHV enforcement in Massachusetts and drafted legislation in the spring of 2008 to provide the most sweeping changes in Massachusetts recreational vehicle laws in decades.



Key Working Group Recommendations

- Strengthen fines and penalties for OHV offenses.
- Require safety and responsibility training for all OHV operators eighteen (18) years of age and younger.
- Require registration for all OHV's with revenues directed to increasing enforcement capabilities and the development, maintenance and restoration of OHV trails.
- Reduce allowable OHV noise levels to 96dbA at 20 inches.
- Reinforce efforts to protect children by strengthening requirements for adult supervision of young operators.
- Strengthen communication among enthusiasts, land managers, enforcement agencies and other stakeholders by establishing an OHV Advisory Group.

House and Senate Pass Legislation that:

- ✓ ■ Strengthens fines and penalties for OHV offenses.
- ✓ ■ Requires safety and responsibility training for all OHV operators eighteen (18) years of age and younger.
- ✓ ■ Requires registration for all OHV's with revenues directed to increasing enforcement capabilities and the development, maintenance and restoration of OHV trails.
- ✓ ■ Reduces allowable OHV noise levels to 96dbA at 20 inches.
- ✓ ■ Reinforces efforts to protect children by strengthening requirements for adult supervision of young operators.
- ✓ ■ Strengthens communication among enthusiasts, land managers, enforcement agencies and other stakeholders by establishing an OHV Advisory Group.

Fines and Penalties



Strengthen fines and penalties for OHV offenses including trespass.



Higher Penalties: Some Examples

Offense	Current Penalty	New Penalty
Unregistered	\$20 to \$100	\$250 to \$1000
Dangerous Operation	\$20 to \$100	\$250 to \$1000 first offense \$500 to \$2500 second offense + forfeiture
Driving Under the Influence	\$20 to \$100	\$500 to \$5000 and loss of license
Trespass (Chpt 266)	\$250	\$500

Safety and Responsibility Training



Requires safety and responsibility training for all OHV operators eighteen (18) years of age and younger.

Training for Young Riders



*4H Community ATV Safety
Program*

- For operators under the age of 16, a parent or guardian must participate in one day of the training.
- Certificate must be carried with the operator.



Required Registration – Dedicated Funding



Require registration for all OHV's with revenues directed to OHV Program Fund to increase enforcement capabilities and develop, maintain and restore OHV trails.

Current registration revenue - \$830,000.



Funding for Trail Management



At least 25% of the OHV Program Fund is dedicated to the acquisition, development and maintenance of OHV trails.

DCR may provide grants to communities and other entities for this purpose.

Reduce Sound Levels



Reduce allowable OHV noise levels to the national standard 96dbA at 20 inches.

Reinforce Efforts to Protect Children



- ▶ Adopts Working Group recommended standards for direct supervision of young riders.
- ▶ Introduces new age 14 limit for operators of ATV's or Recreation Utility Vehicles
- ▶ Introduces 90cc engine size limit for children under the age of 16

Massachusetts OHV Advisory Committee



Thirteen member committee advises Secretary, DCR, ELE, DFG and DEP on OHV regulation and enforcement, safety and training and the distribution of OHV Program Funds.

What has transpired to date

► OHV Project Teams

1. Core Team
2. Pamphlet Team
3. WEB Team
4. Decal Team
5. Marketing Team
6. Legal Team
7. Sport Transition Team
8. Safety Training Team

1. Core Team

- ▶ **Purpose:** oversee and advise on all aspects of the OHV projects
- ▶ **Team Members:**
 - Phil Griffiths, Under Secretary EEA and Sponsor
 - Aaron Gross, Director Office Law Enforcement (OLE)
 - Tom Skinner, Project Manager
 - Capt Chris Baker, Lt Merri Walker, Bob Wong CFO, Janice Santos Program Coordinator
- ▶ **Status:** on-going

2. Pamphlet Team

- ▶ **Purpose:** Create a Pamphlet outline new law
- ▶ **Team Members:**
 - Christine Pagliuca, designer
 - Capt Agganis, , Chris, Lt Walker
 - Aaron, Phil, Catherine, Bob Wong, Gary, Sandra, Bill Nichols
- ▶ **Status:** Printed Oct 15th – 10,000 copies
 - Distributed at the Big E – Power Sport Expo Oct 16-17
 - Posted on OLE Web Site
 - Available at Regional Offices
 - Distributed to OHV Dealers, clubs, etc.

3. Web Team

- ▶ **Purpose:** update Web Site with current OHV information
- ▶ **Team Members:**
 - Bill Sullivan, Leo Sahaya, Steve McRae, Dan Koch
 - Aaron Gross, Chris Baker, Merri Walker, Janice Santos, Imneet Brar, Catherine Williams
- ▶ **Status:** implemented Section 9 & 24, Exemption from Fee
 - Update SPORT with new Help and Privacy pages (take out references to fishing and hunting)
 - Update MassOutdoors with links to:
 - MassFishHunt (Fishing and Hunting Licenses for 2011)
 - OLE SPORT (Boating, Snow Mobiles, ATV Renewals)

4. Decal Team

- ▶ **Purpose:** Change to Decals from License Plates for ATV's and add Decals for Snowmobiles
- ▶ **Team Members:**
 - Janice Santos, Bob Wong, Cheryl Collaro-Surette, Imneet Brar, Merri Walker
- ▶ **Status:** 2- 6 month project (depending on path taken)
 - Section 8 – “means of a decal or sticker which is firmly attached to both sides of the cowl of the vehicle”
 - Need to renew ~ 40,000 Decals
 - different approaches
 - Bulk mailing with sequential Decal numbers
 - **Bulk mailing - Decal number same as Plate number - recommended**
 - New Decals only when renewal take place (over 2 years)

5. Marketing Team

- ▶ **Purpose:** educate the OHV rider population with current changes to the law
- ▶ **Team Members:**
 - Catherine Williams, Chris Baker, Merri Walker, Cheryl Collaro-Surette
- ▶ **Status:** On-Going (one voice)
 - Research flyers in mailings (like RMV)
 - Media blast – email, blogs, TV + Radio (Public Service), update Web Site, insurance companies, etc
 - Pamphlets at regional offices and Dealers
 - Reach out to Sporting Clubs
 - Create a new OUTDOOR web site of links

6. Legal Team

- ▶ **Purpose:** interpret law and help make “right” decisions
- ▶ **Team Members:**
 - Margaret Callahan, Richard Lehan, Chris Baker, Merri Walker, Anna Blumkin
- ▶ **Status:** On-Going
 - Research as needed

7. Sport Transition Team

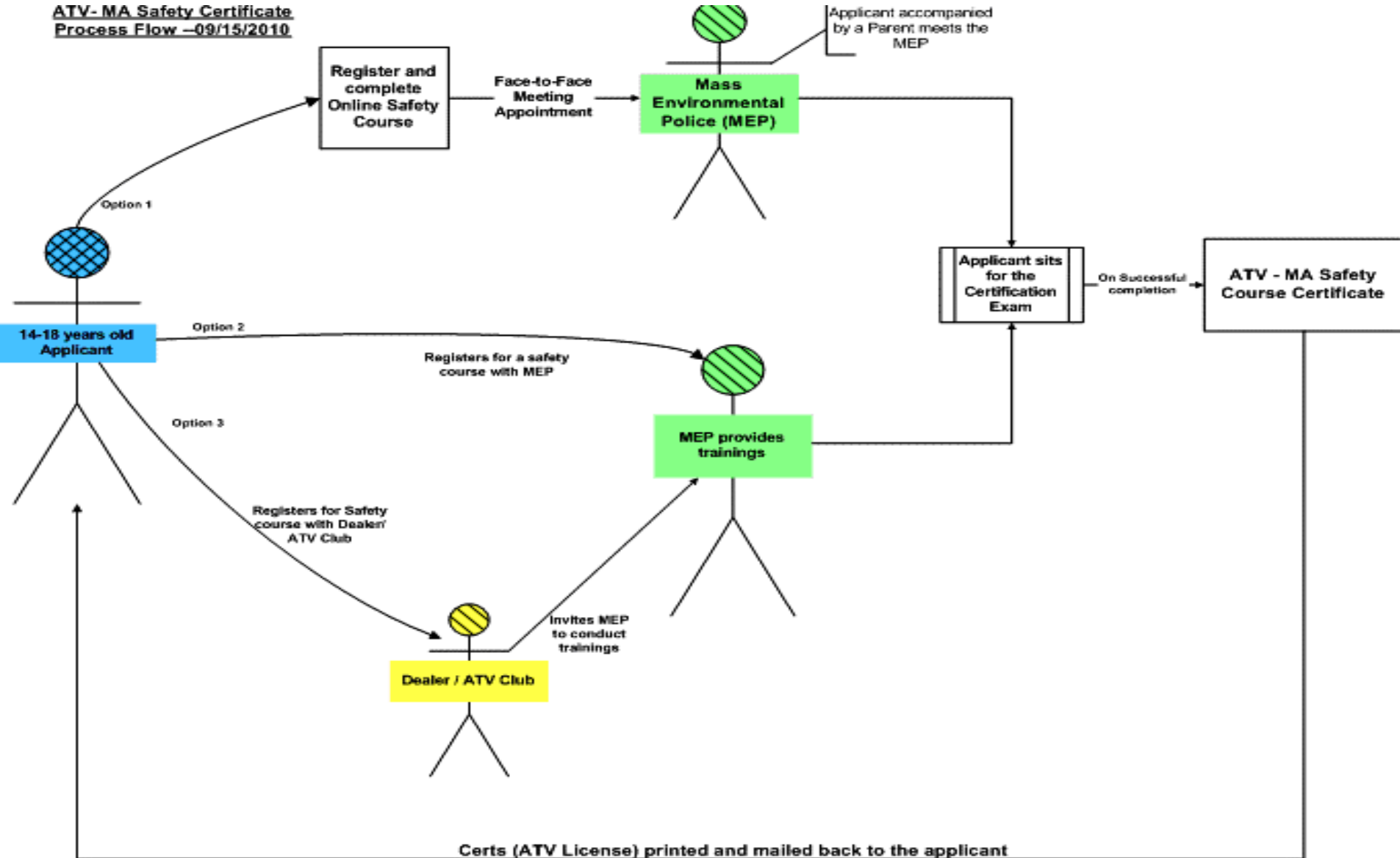
- ▶ **Purpose:** Replace current SPORT Application with “state of the art” Web solution. Create new SPORT accounting practices as of Jan 1st and implement in new SPORT application.
- ▶ **Team Members:**
 - Janice Santos, Bob Wong, Chris Baker, Merri Walker, Anna Blumkin, Cheryl Collaro-Surrette, Imneet Brar, Steve McCrae, Brian Kelter, Sandra Bachman
- ▶ **Status:** Web updated (Links, Help, Privacy), need financial kickoff meeting

8. Safety Training Team

- ▶ **Purpose:** Implement Safety Training program for under 18 year old riders.
- ▶ **Team Members:**
 - Merri Walker, Chris Baker, Bob Wong, Imneet Brar, Aaron Gross
- ▶ **Status:** Focus to meet Feb 1st deadline. Section 7 & 26
 - Looking at different options.
 - RFI posted and 2 replied. RFR or just approval?

Safety Training Process Flow

ATV- MA Safety Certificate
Process Flow –09/15/2010



Role of Advisory Committee

- ▶ Represents many different organizations (see spreadsheet)
- ▶ 3 year length of term
- ▶ Determine number of meeting (2 minimum/yr – Section 4)
 - Also meet at request of Secretary
- ▶ Select a Chair annually (next meeting?)
- ▶ Advise Training program and distribution of funds
- ▶ Other

OHV Fund Update

OLE Budget Update		
Income from registrations		
	FY 11 YTD	\$268,750
	Estimate for FY11	\$800 K - \$850 K
	Estimate for FY12	\$1.4 Million
Expenses till date		
	Brochures/Pamphlets	\$1,295.46
Current Balance in Bank		
	As of Dec 10th, 2010	\$272.6 K

Open Meeting Law

- ▶ The meetings are subject to “Open Meeting Law”
- ▶ Sent each of you a package (via email with links)
- ▶ Sign “Certification of Receipt” and hand or mail in
- ▶ Will be creating a Web site for postings
- ▶ Questions?

DCR Landscape Designation Process

- ▶ Recommended by Forest Futures Visioning Process Technical Steering Committee and embraced by Governor Patrick
- ▶ Ultimately will lead to designation of over 300,000 acres of DCR lands as Woodlands, Parklands or Reserves
- ▶ Recently completed a series of seven public meeting to solicit public input on draft designation criteria and management guidelines.
- ▶ Collecting public comments until January 14, 2011
at designation.comments@state.ma.us or to:

DCR Landscape Designation Comments
251 Causeway St, Suite 600
Boston, MA 02114



Other Issues

- ▶ What are the areas of concern with this new OHV regulation?
- ▶ List here....
 - ?
 - ?
 - Etc (possible topics of discussion for future meetings)

Next Steps

- ▶ Questions?
- ▶ Next meeting: January / February ?
(Wednesday's best for Dr Masiakos)
- ▶ Time of day?
- ▶ Location?
- ▶ Closing remarks and thanks for coming!